

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

EDWARD TITTERTON and,	:	CIVIL ACTION
CHRISTOPHER KELLY,	:	
<i>Plaintiffs,</i>	:	
v.	:	
	:	
JENKINTOWN BOROUGH,	:	
JENKINTOWN POLICE DEPARTMENT	:	
POLICE COMMISSIONER CHIEF	:	
ALBERT DIVALENTINO, individually	:	
and POLICE LIUTENANT	:	
RICHARD TUCKER, individually,	:	
<i>Defendants.</i>	:	NO. 20-5869

ORDER

AND NOW, this 7th day of July 2021, upon consideration of Defendants' Motion to Dismiss Plaintiffs' Amended Complaint (ECF No. 8), Plaintiffs' response thereto (ECF No. 16), and Defendants' reply (ECF No. 20), and for the reasons stated in the accompanying Memorandum, it is hereby ORDERED that Defendant's Motion to Dismiss (ECF No. 8) is **GRANTED** as follows:

1. Plaintiffs' Amended Complaint (ECF No. 7) is hereby **DISMISSED without prejudice.**
2. Defendant Jenkintown Police Department is **DISMISSED with prejudice.** The Clerk of Court is directed to terminate Defendant Jenkintown Police Department as a party in this matter.

Should Plaintiffs choose to amend, they shall file an amended complaint on or by **July 28, 2021.**

BY THE COURT

/s/ Chad F. Kenney

CHAD F. KENNEY, JUDGE